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## EXTRAORDINARY

### PART II—Section 3—Sub-section (ii)

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#### MINISTRY OF COMMERCE AND INDUSTRY

#### ORDER

*New Delhi, the 31st October, 1961.*

**S.O. 2561/IDRA/18G/69/61.**—Whereas it appears to the Central Government that for the purpose of securing the equitable distribution and availability at fair prices of cement, the supply and distribution of, and trade and commerce in, cement should be regulated;

Now, therefore, in exercise of the powers conferred by section 18G of the Industries (Development and Regulation) Act, 1951 (65 of 1951) and in supersession of the Cement Control Order, 1958 the Central Government hereby makes the following Order, namely:—

**1. Short title, extent and commencement.**—(1) This Order may be called the Cement Control Order, 1961.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

(3) It shall come into force on the first day of November, 1961.

**2. Definitions.**—In this Order, unless the context otherwise requires,—

(a) “cement” means any variety of cement manufactured in India, and includes blast furnace slag cement, rapid hardening cement and low heat cement, but does not include Oil Well cement, water-proof cement and white and coloured cement (other than grey portland cement) or any other variety of cement which the Central Government may, by notification in the Official Gazette, specify as not being cement for the purposes of this Order;

(b) “Corporation” means the State Trading Corporation of India Limited;

(c) “producer” means any person who manufactures cement.

**3. Producers to sell cement to Corporation.**—(1) Every producer shall sell—

(a) the entire quantity of cement held in stock by him on the date of commencement of this Order; and

(b) the entire quantity of cement which may be produced by him from the date of commencement of this Order upto the 31st March, 1966 (inclusive) except such quantity as may be mutually agreed upon from time to time between him and the Central Government,

to the Corporation, and deliver the same to such person or persons as may be specified by the Corporation in this behalf from time to time.

(2) Notwithstanding any contract to the contrary, no producer shall dispose of cement held in stock or produced by him except in accordance with the provisions of sub-clause (1).

**4. Cement not to be removed from premises of producer without permission.—**(1) No producer shall remove or permit the removal of any cement, whether sold or unsold, from any part of his premises to any place outside his premises except with the written permission of the Central Government or such officer as may be specified by it in this behalf.

(2) Nothing contained in sub-clause (1) shall apply in respect of any cement sold to the Corporation in pursuance of clause 3.

**5. Maintenance and production of books of accounts etc. by producers.—**(1) Every producer shall keep such books, accounts and records relating to the production of cement as the Central Government may require.

(2) Every producer and every person employed by him in connection with the production of cement shall, on being required so to do either by the Central Government or by such authority as may be specified in this behalf by the Central Government, and within such period as may be allowed in this behalf—

(a) produce before the Central Government or authority such books of account or other documents as may be specified by the Central Government or authority; and

(b) furnish to the Central Government or authority such returns and other information relating to his business as may be so specified.

**6. Controlled prices of cement.—**(1) The price at which a producer may sell cement other than rapid hardening cement and low heat cement shall be as specified in the Schedule:

Provided that except in the case of any sale to the Government for the Directorate General of Supplies and Disposals, where a producer on the basis of a separate agreement has agreed or agrees to allow a rebate, discount or commission, the Corporation shall be entitled to deduct from the price payable in respect of the cement sold to it the amount of the rebate, discount or commission so agreed upon;

Provided also that in respect of cement intended for export outside India, it shall be open to the Corporation to negotiate with a cement producer the ex-works price payable to him.

*Explanation.*—The price fixed in the Schedule is exclusive of—

- (i) the excise duty payable by the producer in respect of the cement; and
- (ii) the cost of packing or of containers, if any.

(2) (a) The price at which the Corporation may sell cement other than rapid hardening cement and low heat cement to any person shall be Rs. 94·00 per metric tonne free on rail destination railway station plus the excise duty paid thereon.

Provided that the Corporation may, with the prior approval of the Central Government, allow a rebate, discount or commission in the price of cement sold to the Government for the Directorate General of Supplies and Disposals;

Provided further that, in the case of a sale to any person with whom the producer has entered into any such agreement as is referred to in the first proviso to sub-clause (1) of this clause, the Corporation shall pass on to such person the benefit of the rebate, discount or commission so agreed upon.

*Explanation.*—The price referred to in this sub-clause is exclusive of—

- (i) State or Inter-State sales tax, if any; and
- (ii) the cost of packing or of containers, if any.

(b) In respect of packed cement, there shall be added to the price referred to in this sub-clause, such maximum amount as may be fixed by the Central Government under sub-clause (4) in respect of packing or containers.

(3) The price at which cement may be sold in a State by a dealer (whether wholesale or retail) other than the Corporation shall be such as may be fixed by the State Government.

(4) For the purposes of this clause, the Central Government may fix the maximum amounts payable in respect of packing or containers, and different maxima may be fixed for different kinds of packing or containers.

## THE SCHEDULE

[See clause 6(1)]

The price at which each producer may sell cement free on rail ex-works is the price which has been determined by the Central Government in respect of that producer having regard to the recommendations of the Tariff Commission on the revision of prices of cement, and to all other relevant circumstances, that is to say,—

| Name of Producer  | Price per Metric tonne |
|---|------------------------|
| 1. M/s. Dalmia Cement (Bharat) Ltd., Dalmiapuram  | Rs. 69.50              |
| 2. M/s. Andhra Cement Co. Ltd., Vijayawada  | Rs. 69.50              |
| 3. M/s. Orissa Cement Ltd., Rajganpur   | Rs. 69.50              |
| 4. M/s. K.C.P. Ltd., Macherla   | Rs. 69.50              |
| 5. M/s. Rohtas Industries Ltd., Dalmianagar   | Rs. 69.50              |
| 6. M/s. Mysore Iron & Steel Works, Bhadravati   | Rs. 69.50              |
| 7. M/s. Associated Cement Cos. Ltd., 121, Queen's Road, Bombay-1.                         | Rs. 69.50              |
| 8. U.P. Government Cement Works, Churk (U.P.)   | Rs. 69.50              |
| 9. M/s. Dalmia Dadri Cement Co. Ltd., Dalmia Dadri  | Rs. 69.50              |
| 10. M/s. Bagalkot Cement Co. Ltd., Bagalkot   | Rs. 69.50              |
| 11. M/s. Ashoka Cement Ltd., Dalmianagar.   | Rs. 69.50              |
| 12. M/s. Jaipur Udyog Ltd., Sawai Madhopur  | Rs. 69.50              |
| 13. M/s. India Cements Ltd., Talaiyuthu   | Rs. 72.50              |
| 14. M/s. Birla Jute Manufacturing Co. Ltd., Cement Department, Satna Cement Works, Satna. | Rs. 72.50              |
| 15. M/s. Shree Digvijay Cement Co. Ltd., Sikka  | Rs. 72.50              |
| 16. M/s. Kalyanpur Lime and Cement Works Ltd., Banjari                                    | Rs. 72.50              |
| 17. M/s. Sone Valley Portland Cement Co. Ltd., Japla                                      | Rs. 72.50              |
| 18. M/s. Panyam Cements and Mineral Industries Ltd., Betamacherla                         | Rs. 75.00              |
| 19. M/s. Saurashtra Cement and Chemical Industries Ltd., Ranavav                          | Rs. 75.00              |
| 20. M/s. Madras Cements Ltd., Ramamandiram, Rajapalaiyam                                  | Rs. 75.00              |
| 21. M/s. Travancore Cements Ltd., Kottayam  | Rs. 95.00              |

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R. V. RAMAN, Jt. Secy.

